

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

THOMAS M. MOORE,

Petitioner,

v.

WARDEN, NOBLE CORRECTIONAL
INSTITUTION,

Respondent.

CASE NO. 2:15-CV-2659

JUDGE EDMUND A. SARGUS, JR.
MAGISTRATE JUDGE KEMP

OPINION AND ORDER


On August 26, 2015, the Magistrate Judge issued a *Report and Recommendation* pursuant to Rule 4 of the Rules Governing Section 2254 Cases in the United States District Courts recommending that the instant petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 be dismissed. Petitioner has filed an *Objection* to the Magistrate Judge's *Report and Recommendation*.

Petitioner objects to the Magistrate Judge's recommendation of dismissal. Petitioner asserts that he has been denied due process, equal protection, and the right to meaningful review. He asserts that the state courts improperly denied his motion to vacate sentence as barred under Ohio's doctrine of *res judicata*. Petitioner asserts that the trial court improperly imposed consecutive terms of incarceration, that his convictions violate the Double Jeopardy Clause, and that he has been denied the effective assistance of counsel. Petitioner does not present any argument regarding his failure to comply with the one-year statute of limitations under 28 U.S.C. § 2244(d).

As discussed by the Magistrate Judge, the habeas corpus petition is more than eighteen years late. His claim that the state courts improperly applied *res judicata* as a barrier to consideration of his claims fails to provide an issue appropriate for relief.

Pursuant to 28 U.S.C. § 636(b), this Court has conducted a *de novo* review. For the reasons detailed in the Magistrate Judge's *Report and Recommendation*, Petitioner's *Objection* (ECF No. 3) is **OVERRULED**. The *Report and Recommendation*, (ECF No. 2) is **ADOPTED** and **AFFIRMED**. This action is hereby **DISMISSED**.

IT IS SO ORDERED.

 9-10-2015

EDMUND A. SARGUS, JR.
United States District Judge